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UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

In re

THE LITIGATION PRACTICE GROUP P.C.,

Debtor.

Case No: 8-23-bk-10571-SC

Chapter 11

CHAPTER 11 TRUSTEE’S STIPULATED
RESPONSE TO MOTION FOR
ALLOWANCE OF ADMINISTRATIVE
CLAIM FILED BY R. REED PRUYN [DK.
NO.698]

Date: May 23, 2024
Time: 11:00 a.m.
Ct rm: Courtroom 5C
411 West Fourth Street
Santa Ana, CA 92701

TO THE HONORABLE SCOTT C. CLARKSON, UNITED STATES BANKRUPTCY JUDGE,
THE OFFICE OF THE UNITED STATES TRUSTEE, AND ALL INTERESTED PARTIES:

This Stipulation (“Stipulation”) is entered into by and between Richard A. Marshack, in his
capacity as Chapter 11 Trustee (“Trustee”) of the Bankruptcy Estate (“Estate”) of The Litigation
Practice Group P.C. (“Debtor”), and R. Reed Pruyn (“Pruyn” and together with Trustee, “Parties”),
with regard to the following:

RECITALS

A. Pre-petition, Debtor was a law firm that provided consumer debt resolution services
servicing more than 50,000 customers across the United States. In 2022, Debtor’s annual revenue
exceeded \$150 million.

1 B. On March 20, 2023, Debtor filed a voluntary petition under Chapter 11 of Title 11 of
2 the United States Code, initiating bankruptcy Case No. 8:23-bk-10571-SC in the United States
3 Bankruptcy Court for the Central District of California, Santa Ana Division (“Bankruptcy Case”).
4 Prior to the bankruptcy, Debtor fraudulently transferred all its assets and clients. As of the petition
5 date, Debtor had virtually no assets or clients.

6 C. On May 8, 2023, Richard A. Marshack was appointed as the Chapter 11 Trustee of
7 the Debtor’s estate. Docket No. 65.

8 D. Upon his appointment, Trustee filed litigation against numerous defendants, including
9 Phoenix Law Group, Inc. (“Phoenix”), seeking, among other relief, to avoid and recover Debtor’s
10 fraudulent transfers. Adv. Case No. 8:23-ap-01046-SC (“Avoidance Adversary”).

11 E. On June 27, 2023, Trustee filed a stipulation with Phoenix avoiding, recovering, and
12 preserving the legal service agreements between Debtor and its consumer clients, thus recovering
13 Debtor’s assets.

14 F. On July 22, 2023, the Court granted Trustee’s sale motion and entered an order
15 approving the sale of Debtor’s assets. Docket No. 320. The sale closed on August 4, 2023.

16 G. On October 16, 2023, the Court entered an Order setting the Administrative Claims
17 Bar Date as November 21, 2023. Docket No. 577.

18 H. On November 21, 2023, a Verified Motion for Administrative Expense was filed by
19 R. Reed Pruyn. Docket No. 698.

20 I. On January 5, 2024, Trustee filed a Motion to Continue Hearing on the motions for
21 allowance of administrative expense claims. Docket No. 816.

22 J. On January 8, 2024, the Court entered an Order granting the Trustee’s Motion to
23 Continue Hearing, continuing the initial hearings on all matters to February 29, 2024, and treating
24 those hearings as status conferences. Docket No. 818.

25 K. On February 15, 2024, Trustee filed an Omnibus Unilateral Report Regarding Status
26 of Motions for Allowance of Administrative Expense Claim Under 11 U.S.C. §503(b) (“Feb. 15
27 Status Report”). Docket No. 940.

1 L. On March 6, 2024, the Court entered a Scheduling Order, setting April 11, 2024, as
2 the deadline for Trustee to respond to any of the motions for allowance of administrative expense
3 claims for a specific group of claimants, including Pruyn. Dk No. 986.

4 M. On April 11, 2024, Trustee filed an Omnibus Stipulation to Modify Briefing Schedule
5 and to Continue Hearing on Motion for Allowance of Administrative Expense Claims filed by a
6 specific group of claimants, including Pruyn ("Omnibus Stipulation"). Docket No. 1101.

7 N. On April 12, 2023, the Court entered an Order approving the Omnibus Stipulation,
8 setting May 2, 2024, as the deadline for the Trustee to file a response to any of the motions for
9 allowance of administrative claims, including the claim filed by Pruyn. Docket No. 1107.

10 O. Trustee diligently investigated the administrative claim of Pruyn and the Parties have
11 exchanged documents and information.

12 P. In the course of Trustee's investigation, Trustee verified that Pruyn had sufficiently
13 substantiated having completed 480 hours ("Legal Hours") of post-petition legal work on Debtor's
14 client files.

15 Q. Although Pruyn had sought to be compensated at a rate of \$187.50/hr (based on a
16 \$390,000/yr salary) for the Legal Hours, Trustee has communicated to Pruyn that pursuant to
17 reasonableness standard for administrative expenses, the maximum amount at which post-petition
18 legal work would be compensated by the Trustee in administering Debtor's estate would be at
19 \$86.54/hr.

20 R. To avoid the costs and expense of this litigation, Pruyn has agreed to reduce his
21 administrative claim to a rate of \$41,539.20 for Legal Hours.

22 WHEREFORE, the Parties stipulate, agree and request that the Court enter an Order as
23 follows:

24 **STIPULATION**

25 1. Pruyn will reduce the amount of his requested administrative claim to \$41,539.20
26 ("Reduced Admin Claim"), for the work on client files that he completed post-petition.

27 2. Trustee does not oppose the Reduced Admin Claim.
28

1 3. Except as specifically set forth above, the Parties are not releasing any claims and
2 each reserve all rights, claims, and defenses.

3 4. Pruyn acknowledges that the Reduced Admin Claim remains subject to disallowance
4 only should the provisions of 11 U.S.C. § 502(d) be satisfied, which is not anticipated here.

5 5. In light of the foregoing, no further briefing by either party will be filed in connection
6 with Pruyn's pending Motion.

7 6. To date, no other party has filed a response or an objection to the Motion.

8 7. The Parties request that the Court enter an Order approving this Stipulation and that
9 such order provide that the hearing on Pruyn's Motion currently set for May 23, 2024, come off
10 calendar without the need for appearances.

11 8. This Stipulation may be executed in one or more counterparts, and facsimile or
12 electronic signatures may be used in filing this document with the Court.

13
14 DATED: May 2, 2024

MARSHACK HAYS WOOD LLP

15
16 By: *D. Edward Hays*
17 D. EDWARD HAYS
18 ALINA MAMLYUK
Attorneys for Chapter 11 Trustee,
RICHARD A. MARSHACK

19 DATED: May 2, 2024

20 By: */s/ Reed Pruyn*
21 R. REED PRUYN

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
870 Roosevelt, Irvine, CA 92620.

A true and correct copy of the foregoing document entitled: **CHAPTER 11 TRUSTEE'S STIPULATED RESPONSE TO MOTION FOR ALLOWANCE OF ADMINISTRATIVE CLAIM FILED BY WELLS, MARBLE AND HURST, PLLC [DK. NO.679]** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **May 2, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On **May 2, 2024**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

DEBTOR – MAIL REDIRECTED TO TRUSTEE

THE LITIGATION PRACTICE GROUP P.C.
17542 17TH ST, SUITE 100
TUSTIN, CA 92780-1984

ADMINISTRATIVE CLAIMANT (DK 698)

R. REED PRUYN
276 S. 1000 E.
SALT LAKE CITY, UT 84102

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **May 2, 2024**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA PERSONAL DELIVERY:
PRESIDING JUDGE'S COPY

HONORABLE SCOTT C. CLARKSON
UNITED STATES BANKRUPTCY COURT
411 WEST FOURTH STREET, SUITE 5130 / COURTROOM 5C
SANTA ANA, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

May 2, 2024
Date

Layla Buchanan
Printed Name

/s/ Layla Buchanan
Signature

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